

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Dorthea ZUCKER-FRANKLIN, et al

Appln. No. 09/543,782

Date Filed: April 6, 2003

For: ASSAYS FOR HUMAN T-CELL LYMPHOTROPHIC VIRUS TYPES I AND II

Art Unit: 1637

Examiner: T. Strzelecka

Washington, D.C.

Atty.'s Docket: ZUCKER-FRANKLIN=1A

Date: September 17, 2003

Confirmation No. 8307

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop **FEE AMENDMENT**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Transmitted herewith is a **REPLY: AMENDMENT AND REMARKS** to the above-identified application.

[XX] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted

[] Applicant claims small entity status. See 37 C.F.R. §1.27.

[] No fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	
INDEP.	*	MINUS	*** 3	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 140	\$
ADDITIONAL FEE TOTAL	
	\$

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 18	\$
x 84	\$
+ 280	\$
TOTAL	
	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 55.00
[] Second - \$ 205.00
[XX] Third - \$ 465.00
[] Fourth - \$ 725.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 110.00
[] Second - \$ 410.00
[] Third - \$ 930.00
[] Fourth - \$ 1450.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$465.00.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: ZUCKER-
FRANKLIN=1A

In re Application of:)	Art Unit: 1637
)	
Dorthea ZUCKER-FRANKLIN, et al)	Examiner: T. Strzelecka
)	
Appln. No.: 09/543,782)	Washington, D.C.
)	
Filed: April 6, 2000)	Confirmation No. 8307
)	
For: ASSAYS FOR HUMAN T-CELL)	September 17, 2003
LYMPHOTROPHIC VIRUS...)	

REPLY: AMENDMENT AND REMARKS

Customer Window, Mail Stop FEE AMENDMENT
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

In response to the Office Communication mailed May
29, 2003, please enter the following amendment:

Amendments to the Specification begin on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

RECEIVED
SEP 26 2003
TOLSON

Page 10, replace the last paragraph spanning pages 10 and 11 with the following amended paragraph:

Figures 3A and 3B show HTLV-I and HTLV-II like tax proviral sequences detected in PBMC lysates. Figure 3A shows a representative HTLV-I tax sequence (~~SEQ ID NO:1~~Donors) as detected in PBMC of fourteen blood ~~band~~ donors and six other healthy volunteers. Figure 3B shows HTLV-II-like tax proviral sequences (I and II) ~~as~~ detected in PBMC of two volunteers (~~SEQ ID Nos:3 and 4~~).

 The tax sequences for prototypic HTLV-I (~~SEQ ID NO:1~~ and ~~II~~ (~~SEQ ID NO:2~~) are those published by Seike-Seiki et al, *Proc. Natl. Acad. Sci. USA* **80**:3618-3622 (1983), and those for prototypic HTLV-II, SEQ ID NO:2, by Shimotohno et al, *Proc. Natl. Acad. Sci. USA* **82**:3101-3105 (1985).~~r~~
respectively. Dashed lines indicate sequence identity with the prototypic HTLV-I sequence. In each case the sequence lines indicated as HTLV-I, SEQ ID NO:1, is the prototypic sequence from Seiki, and the lines labeled HTLV-II, SEQ ID NO:2, is the prototypic sequence from Shimotohno. The data for Figure 3 were published in Zucker-Franklin and Pancake, *Clinical and Diagnostic Laboratory Immunology* **5**:831-835, 1998.